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S-22-04

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q62569

Kenshin YAMADA, et al.

Appln. No.: 09/752,461

Group Art Unit: 2661

Confirmation No.: 1556

Examiner: Unknown

Filed: January 3, 2001

For: DATAGRAM RELAYING APPARATUS WITH LOAD DISTRIBUTING FUNCTION

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

RECEIVED

MAY 19 2004

Technology Center 2600

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

1. Japanese unexamined Patent Application Publication No. H60-64551, published

April 13, 1985.

2. Japanese Unexamined Patent Application Publication No. H63-278442, published

November 16, 1988.

3. Japanese Unexamined Patent Application Publication No. H03-112238, published

May 13, 1991.

INFORMATION DISCLOSURE STATEMENT
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4. Japanese Unexamined Patent Application Publication No. H04-117745, published April 17, 1992.

5. Japanese Unexamined Patent Application Publication No. H11-355310, published December 24, 1999.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant is filing concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

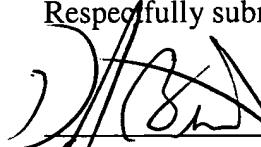
In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a corresponding Japanese Office Action dated March 23, 2004 and an English translation of the pertinent portions thereof which cites such documents and indicates the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No.: 09/752,461

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



Howard L. Bernstein
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WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: May 18, 2004



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STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

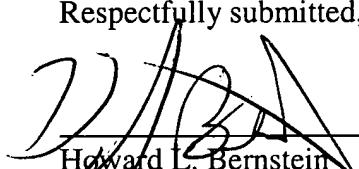
That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

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| Substitute for Form 1449 A & B/PTO | | <i>Complete if Known</i> | |
| OPT P E INFORMATION DISCLOSURE STATEMENT BY APPLICANT <small>MAY 18 2004 (use as many sheets as necessary)</small> | | Application Number | 09/752,461 |
| | | Confirmation Number | 1556 |
| | | Filing Date | January 3, 2001 |
| | | First Named Inventor | Kenshin YAMADA |
| | | Art Unit | 2661 |
| | | Examiner Name | Unknown |
| Page | Sheet | 1 | of 1 |
| | | Attorney Docket Number | |

FOREIGN PATENT DOCUMENTS

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NON PATENT LITERATURE DOCUMENTS

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|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.